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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,123	10/10/2000	Alex M. Gemert	SYM-606C	7157

7590

10/03/2002

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT

PAPER NUMBER

2158

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/686,123

Applicant(s)

GERNERT ET AL.

Examiner

George Neurauter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-29 and 35-41 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 27-29 and 35-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 27-28, 35, 37-38, and 40 rejected under 35 U.S.C. 102(b) as being anticipated by “RFC 2002: IP Mobility Support” by Perkins (hereinafter “Support”).

Regarding claim 27, “Support” discloses a method for communication between a mobile computer terminal and a host computer in a system [page 5, “1.5 New Architectural Entities”] in which it is necessary for the mobile computer terminal to send a message to the host computer at a particular time, including the steps of:

determining the specific time at which the mobile computer terminal must send a message to the host computer; programming a timer or clock to wake up the mobile computer terminal at said specific time; entering a sleep mode; and sending the message at said specific time. [page 4, “1.2 Goals”; pages 26-28, “3.3 Registration Request, specifically “Lifetime”; pages 34-36, “3.6 Mobile Node Considerations”, specifically page 35, paragraph 3 beginning “There are other conditions...”; page 41-42, “3.6.2.2 Registration Request”, specifically paragraph beginning “If the mobile node has registered on a foreign...”]

Regarding claim 28, “Support” discloses the method of claim 27, wherein said system is a system utilizing the limited leasing of IP addresses and said message is a message begging for more time. [page 8, “1.7 Protocol Overview”, specifically paragraph beginning “When a mobile

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node detects it has moved to a foreign network..."; page 41-42, "3.6.2.2 Registration Request", specifically paragraph beginning "If the mobile node has registered on a foreign..."]

Regarding claim 35, "Support" discloses the method of claim 27, wherein said message is a lease renewal message. [page 8, "1.7 Protocol Overview", specifically paragraph beginning "When a mobile node detects it has moved to a foreign network..."; page 41-42, "3.6.2.2 Registration Request", specifically paragraph beginning "If the mobile node has registered on a foreign..."]

Claim 37 is rejected under 35 USC 103(a) since claim 37 contains the same limitations as recited in claim 27.

Claim 38 is rejected under 35 USC 103(a) since claim 38 contains the same limitations as recited in claim 28.

Claim 40 is rejected under 35 USC 103(a) since claim 40 contains the same limitations as recited in claim 35.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 29, 36, 39, and 41 rejected under 35 U.S.C. 103(a) as being unpatentable over “Support”.

Regarding claim 29, “Support” discloses the method of claim 28, further including determining if the mobile computer is out of range of communications with the host computer. [page 10, paragraph 5 beginning “If a mobile node is using a co-located...”; page 17-18, paragraph beginning “A home agent MUST always be...”]

“Support” does not expressly disclose displaying a message indicating the mobile computer should be brought back in range of the host otherwise the leased IP address may be lost, however, “Support” does disclose wherein a timer is kept at the mobile computer in order to keep track of the time until the IP lease expires [pages 34-36, “3.6 Mobile Node Considerations”, specifically page 35, paragraph 1 beginning “For each pending registration...” and the indentations following paragraph 1 and paragraph 3 beginning “There are other conditions...”]

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in “Support” regarding claim 28 with the displayed message about the expiration of the IP lease. Since “Support” discloses a timer is kept on the mobile computer for keeping track of the IP lease as described above and the mobile computer is aware of being out of range of the host as described above, it would have been obvious to provide a message alerting a user that the IP lease would expire so the user could avoid the problem of losing the IP lease by moving the mobile computer within range of the host. Therefore, it would have been obvious to achieve the limitations as described in claim 29.

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Regarding claim 36, "Support" discloses the method of claim 29, further including the step of:

resetting said timer or clock for a next scheduled beg time if the mobile computer is out of range of communications with the host computer. [page 42-43, "3.6.3 Registration Retransmission"]

Claim 39 is rejected under 35 USC 103(a) since claim 39 contains the same limitations recited in claim 29.

Claim 41 is rejected under 35 USC 103(a) since claim 41 contains the same limitations recited in claim 36.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following US Patents teach the state of the art in mobile computers and address leasing:

US Patent 5 029 183 to Tymes;

US Patent 5 938 732 to Lim et al;

US Patent 5 862 345 to Okanoué et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Neurauter whose telephone number is 703-305-4565. The examiner can normally be reached on Mon-Fri 8am-4:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

gcn
September 28, 2002



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100